

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-7224

QUINDELL MERCER,

Plaintiff - Appellant,

v.

WARDEN FRANK BISHOP, JR.,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Baltimore. George L. Russell, III, District Judge. (1:14-cv-02181-GLR)

Submitted: December 15, 2014

Decided: December 18, 2014

Before SHEDD and THACKER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Quindell Mercer, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Quindell Mercer appeals the district court's order dismissing his 42 U.S.C. § 1983 (2012) action under 28 U.S.C. § 1915(e)(2)(B)(ii) (2012) and its order denying his Fed. R. Civ. P. 59(e) motion and dismissing his motion seeking leave to amend his complaint. We have reviewed the record and find no reversible error in the district court's order dismissing Mercer's action and its ruling denying his Rule 59(e) motion. Accordingly, we affirm for the reasons stated by the district court. Mercer v. Bishop, No. 1:14-cv-02181-GLR (D. Md. July 25 & Aug. 6, 2014).

With respect to the district court's ruling dismissing Mercer's motion seeking leave to amend, we affirm it on the ground that the proposed amendment was futile. See Laber v. Harvey, 438 F.3d 404, 426 (4th Cir. 2006) (en banc). Accordingly, we affirm the district court's judgment. We deny Mercer's motions to appoint counsel and for the United States Marshal to effect service and dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED